

1 MICHAEL A. JACOBS (CA SBN 111664)
MJacobs@mofo.com
2 ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
3 425 Market Street
San Francisco, California 94105-2482
4 Telephone: 415.268.7000
Facsimile: 415.268.7522

5 KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsfllp.com
6 HAMISH P.M. HUME (*Pro Hac Vice*)
hhume@bsfllp.com
7 BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
8 Washington DC 20005
9 Telephone: 202.237.2727
Facsimile: 202.237.6131

10 WILLIAM CARMODY (*Pro Hac Vice*)
bcarmody@susmangodfrey.com
11 SHAWN RABIN (*Pro Hac Vice*)
srabin@SusmanGodfrey.com
12 SUSMAN GODFREY LLP
1301 Avenue of the Americas, 32nd Floor
13 New York, NY 10019-6023
14 Telephone: 212.336.8330
Facsimile: 212.336.8340

15 Attorneys for Defendants
16 UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 WAYMO LLC,
21 Plaintiff,
22
23 v.
24 UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,
25 Defendant.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF
HALLEY JOSEPHS IN SUPPORT OF
DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO, LLC'S
ADMINISTRATIVE MOTION TO
SUPPLEMENT THEIR MOTION TO
EXCLUDE THE TESTIMONY OF
MICHAEL WAGNER (DKT. 1619)**

Trial Date: October 10, 2017

1 I, Halley Josephs, declare as follows:

2 1. I am an associate with the law firm of Susman Godfrey LLP. I am a member in
3 good standing of the Bar of the State of New York. I make this declaration based on personal
4 knowledge and, if called as a witness, I could and would testify competently to the matters set
5 forth herein. I make this declaration in support of Defendants Uber Technologies, Inc. and
6 Ottomotto LLC's Administrative Motion to Supplement Their Motion to Exclude the Testimony
7 of Michael Wagner (Dkt. 1619).

8 2. Attached as **Exhibit 1** is a true and correct highlighted copy of the transcript of the
9 September 22, 2017 deposition of Michael Wagner.

10 3. Attached as **Exhibit 2** is a true and correct copy of the August 24, 2017 Opening
11 Expert Report of Michael J. Wagner, which was marked as Exhibit 2271 to Exhibit 1.

12 4. Attached as **Exhibit 3** is a true and correct copy of the September 14, 2017 Reply
13 Expert Report of Michael J. Wagner, which was marked as Exhibit 2272 to Exhibit 1.

14 5. Attached as **Exhibit 4** is a true and correct copy of a presentation that was
15 produced bearing Bates numbers UBER00232549 to UBER00232575, which was marked as
16 Exhibit 2273 to Exhibit 1.

17 6. Attached as **Exhibit 5** is a true and correct copy of a presentation that was
18 produced bearing Bates numbers UBER00069030 to UBER00069033, which was marked as
19 Exhibit 299 to Exhibit 1.

20 7. Attached as **Exhibit 6** is a true and correct copy of Defendants Uber Technologies,
21 Inc. and Ottomotto LLC's Second Supplemental Responses to Waymo's First Set of Common
22 Interrogatories (Nos. 1-3), dated August 11, 2017, which was marked as Exhibit 2274 to
23 Exhibit 1.

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8. Attached as **Exhibit 7** is a true and correct copy of notes produced bearing Bates numbers UBER00060321 to UBER00060347, which was marked as Exhibit 2275 to Exhibit 1.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of September, 2017, at San Francisco, California.

/s/ Halley Josephs
Halley Josephs

ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Halley Josephs has concurred in this filing.

Dated: September 25, 2017

/s/ Arturo J. González

ARTURO J. GONZÁLEZ